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DOCKET NO. 3066.001

**CLEAN AMENDED PARAGRAPHS/SECTIONS/CLAIMS**

In the Drawings:

Amend FIG. 1 by adding reference numeral --4-- as indicated on the enclosed red-lined drawing.

In the Claims:

Amend the following like-numbered claims:

1. (amended) A holder, attachable to a paint can having an open end defined by a rim, for supporting a paintbrush having a ferrule within the open end of the paint can, the holder comprising:

a clamp for engaging the rim of the paint can;  
a magnet for engaging the ferrule of the paintbrush; and  
a resilient member having a proximal portion attached to the clamp and having a distal portion attached to the magnet wherein the distal portion of the resilient member is displaced when the paintbrush is subjected to a mechanical shock so that the paintbrush does not slide off the magnet.

2. (amended) The improvement of Claim 1 wherein the resilient member is a spring.

3. (amended) The improvement of Claim 1 wherein the resilient member is a length of resilient material.

4. (amended) In a magnetic paintbrush holder of a type having a clamp for fastening the holder to the rim of a paint can and having a magnet connected to the clamp for magnetically engaging the ferrule of a paintbrush, an improvement comprising:

a resilient member having a proximal portion attached to the clamp and a distal portion attached the magnet wherein the

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distal portion of the resilient member is displaced when the paintbrush is subjected to a mechanical shock so that the paintbrush does not slide off the magnet.

*al*  
*ant*  
5.(amended) The improvement of Claim 4 wherein the resilient member is a spring.

6.(amended) The improvement of Claim 4 wherein the resilient member is a length of resilient material.

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Add the following new claims:

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7.(new) A paintbrush holder comprising:  
a magnet for engaging the ferrule of a paintbrush;  
a clamp for engaging a rim of a paint can; and  
a resilient member having a proximal end attached to the clamp and a distal end attached to the magnet wherein the resilient member has a force constant selected to produce a sufficient displacement of the distal end when the paintbrush is subjected to a mechanical shock so that the paintbrush does not slide off the magnet.

*02*  
*9* 8.(new) The paintbrush holder of Claim *8* wherein the resilient member is a spring.

*10* 9.(new) The paintbrush holder of Claim *8* wherein the resilient member is a length of resilient material.

*11* 10.(new) The paintbrush holder of Claim *8* wherein the resilient member limits acceleration of the paintbrush to no more than 0.75 g.

*12* 11.(new) The paintbrush holder of Claim *8* further comprising the paintbrush.

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<sup>13</sup>12.(new) The paintbrush holder of Claim <sup>8</sup>1 further comprising the paint can.

13.(new) A paintbrush holder comprising:  
a magnet for engaging the ferrule of a paintbrush;  
a magnet holder for bonding to the magnet;  
a clamp for engaging a rim of a paint can; and  
a resilient member having a proximal end attached to the clamp and a distal end attached to the magnet holder wherein the resilient member has a force constant selected to produce a sufficient displacement of the distal end when the paintbrush is subjected to a mechanical shock so that the paintbrush does not slide off the magnet.

<sup>a2</sup>  
<sup>ck</sup>  
<sup>15</sup>14.(new) The paintbrush holder of Claim <sup>14</sup>13 wherein the resilient member, the magnet holder, and at least a portion of the clamp constitute a single molded structure.

<sup>16</sup>15.(new) The paintbrush holder of Claim <sup>14</sup>13 wherein the resilient member is a spring.

<sup>17</sup>16.(new) The paintbrush holder of Claim <sup>14</sup>13 wherein the resilient member is a length of resilient material.

17.(new) The paintbrush holder of Claim 13 wherein the resilient member limits acceleration of the paintbrush to no more than 0.75 g.

<sup>19</sup>18.(new) The paintbrush holder of Claim <sup>14</sup>13 further comprising the paintbrush.

<sup>20</sup>19.(new) The paintbrush holder of Claim <sup>14</sup>13 further comprising the paint can.

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*a2*  
*wt* 20.(new) The paintbrush holder of Claim 1 wherein  
the resilient member limits acceleration of the paintbrush to  
no more than 0.75 g.

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